

**FILED**

APR 12 2010

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
IN AND FOR THE STATE OF UTAH

SECRETARY, BOARD OF  
OIL, GAS & MINING

IN THE MATTER OF THE APPLICATION  
OF CLIFFORD MURRAY FOR AN  
ORDER POOLING INTERESTS IN THE  
DRILLING UNIT COMPRISING SECTION  
2, TOWNSHIP 2 SOUTH, RANGE 1 EAST,  
U.S.M., Uintah County, Utah

**RESPONSE AND REQUEST OF JOYCE  
MURDOCK, MAC E. MURDOCK,  
ROBBIN MURDOCK AND SAUNDRIA  
WHITMER TO REQUEST FOR  
AGENCY ACTION  
(Pooling)**

DOCKET NO. 2010-19

CAUSE NO. 131-30

Joyce Murdock, Mac E. Murdock, Robbin Murdock and Saundria Whitmer, (hereinafter sometimes "**Joyce Murdock Family**"), natural persons, hereby respectfully state their support for the pooling of the interests in the above captioned matter as follows:

**STATEMENT OF PROFFERED FACTS**

1. Joyce Murdock, Mac E. Murdock, Robbin Murdock and Saundria Whitmer are residents of Uintah County, Utah.
2. The Joyce Murdock Family are the owners, as heirs and joint tenant, of Glen Murdock, who inherited from his mother, Lula Harris Murdock, 1/11 of the mineral interest comprising the 40 acres of the SESE or, said otherwise, 3.6364 net mineral acres in the drilling unit the subject of this matter.
3. The Joyce Murdock Family interest is listed under Tract V as Lessor #1 (on page 922 of the recordation) in the communitization agreement submitted by Murray as Exhibit C in this matter. The referred to oil and gas lease terminated on or before the termination of said communitization agreement in 1989.

1. The Joyce Murdock Family interest can also be found listed under Tract 5 (on page 11) of the communitization agreement submitted by Murray as Exhibit L in this matter.

a. The Joyce Murdock Family interest is correctly listed as unleased.

b. The working interest of the Joyce Murdock Family interest is incorrectly attributed to Uinta Oil and Gas, Inc.

2. The Joyce Murdock Family interest remained unleased until 7/28/2009 at which time the Joyce Murdock Family entered into an oil and gas lease with Mineral Rights Leasing, LLC.

3. The Joyce Murdock Family decimal interest in the drilling unit the subject of this matter is as follows:

a. From the time the 1-2B1E well returned to production in April 1997 to 7/28/2009: Unleased 3.6364 net mineral acres divided by 650.9 acres in the drilling unit yielding .00558673

b. Subsequent to Mineral Rights Leasing lease of 7/28/2009: Leased 3.6364 net mineral acres divided by 650.9 acres in the drilling unit multiplied by royalty of .16666667 (1/6) yielding .0009312

**Wherefore**, the Joyce Murdock Family respectfully requests the Board of Oil, Gas and Mining enter an order:

A. Pooling the interests of the interest owners in the drilling unit the subject of this matter; and

B. Finding the royalty attributable and due the Joyce Murdock Family unleased mineral interest subsequent to the 1-2B1E well returning to production in 1997 and prior to 7/28/2009 is the average royalty attributable to each tract within the drilling unit at the time the well was returned to production in 1997; and

C. Finding the Joyce Murdock Family's unleased working interest between 1997 and 8/1/2009 to be a "carried working interest" with well expenses to be paid from production; and

D. Finding the Joyce Murdock Family to be due the Proceeds from the sale of oil between 1997 and 7/28/2009 which are attributable to their unleased working interest, less production expenses as determined by the terms of the operating agreement Murray submitted as Exhibit J in this matter; and

E. Requiring Uinta Oil and Gas, Inc, Mountain Oil and Gas, Inc. and Homeland Gas and Oil, Ltd. to pay the Joyce Murdock Family such Royalty and working interest Proceeds due; and

F. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to pay the Joyce Murdock Family a 1½% per month interest rate for Proceeds from the date such Proceeds should have been paid or escrowed until such Proceeds were/are paid as allowed by UCA 40-6-9(7)(a)(ii); and

G. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to pay the Joyce Murdock Family a 25% penalty of the total Proceeds and interest insofar as said Proceeds remained unpaid and/or un-escrowed as allowed by UCA 40-6-9(7)(b)(i)(C)(ii); and

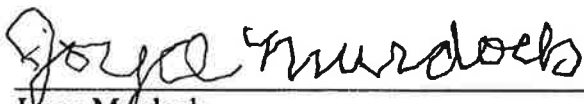
H. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to timely pay all future proceeds from the well in accordance with UCA 40-6-9; and

I. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to escrow future proceeds from the well in accordance with UCA 40-6-9; and

J. Making such findings and orders in connection with this Request as it deems necessary; and

K. Providing for such other and further relief as may be just and equitable under the circumstances.

Respectfully submitted this 12 day of April, 2010.



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